

IT IS SO ORDERED.

Dated: 01:23 PM November 08 2010


MARILYN SHEA-STONUM PH
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE:)	CASE NO. 10-54128
)	
ROGER LLOYD DANTZ)	CHAPTER 13
TERRI LYNN DANTZ)	
)	JUDGE MARILYN SHEA-STONUM
DEBTORS.)	
)	ORDER DENYING, WITHOUT PREJUDICE,
)	DEBTORS' MOTION TO ESTABLISH VALUE
)	[DOCKET 16]

This matter is before the Court on Debtors' motion (the "Motion") seeking to establish the value of a secured claim held by CitiFinancial [docket #16]. Although no objections have been filed to the Motion it cannot be granted on a default basis.

Debtors filed their chapter 13 case on August 31, 2010 (the "Petition Date") and the deadline to file proofs of claim is set at January 12, 2011. The motion was filed on October 14, 2010 and the certificate of service attached thereto sets forth that it was served upon, *inter alia*, CitiFiancial, Attn: Officer or General Counsel, P.O. Box 183036, Columbus, OH 43218. No proof of claim has been filed for CitiFinancial.

Through the Motion, debtors request that the Court set a value pursuant to § 506 for the "collateral" and also request that any claim held by CitiFinancial be bifurcated into secured and unsecured components, as set forth in the Motion. The collateral is not identified in the Motion. The basis for CitiFinancial's secured claim is not set forth in the Motion.

Because debtors have failed to set forth sufficient information to allow the Court to consider the relief requested in the Motion, the Motion cannot be granted on a default basis and is hereby denied without prejudice.

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cc (via electronic mail):

ROBERT WHITTINGTON, counsel to Debtors
KEITH RUCINSKI, chapter 13 Trustee

CERTIFICATE OF NOTICE

District/off: 0647-5
Case: 10-54128

User: ddors
Form ID: pdf701

Page 1 of 1
Total Noticed: 2

Date Rcvd: Nov 08, 2010

The following entities were noticed by first class mail on Nov 10, 2010.
db/db Roger Lloyd Dantz, Terri Lynn Dantz, 201 26th St. NW, Barberton, OH 44203

The following entities were noticed by electronic transmission on Nov 08, 2010.
cr +E-mail/PDF: rmscedi@recoverycorp.com Nov 09 2010 00:26:52
Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
Miami, FL 33131-1605

TOTAL: 1

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 10, 2010

Signature:

